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Before the
Federal Communications Commission
Washington, DC 20554

Nov 12 11 42 AM '05

In the Matter of)	
)	
Requests for Review of the Decision of the)	
Universal Service Administrator by)	
)	
Approach Learning and Assessment Centers)	File Nos. SLD-297762, 342756
Santa Ana, California)	
)	
Fremont County Library System)	File No. SLD-368775
Lander, Wyoming)	
)	
South Baltimore Learning Center)	File No. SLD-192919
Baltimore, Maryland)	
)	
Yeshiva Vinitz D'Khal Torath Chaim)	File Nos. SLD-287318, 287319,
Monsey, New York)	307499, 347544, and 347546
)	
Schools and Libraries Universal Service Support)	CC Docket No. 02-6
Mechanism)	

ORDER

Adopted: November 10, 2004

Released: November 12, 2004

By the Deputy Chief, Telecommunications Access Policy Division, Wireline Competition Bureau:

1. Approach Learning Assessment Centers, Santa Ana, California; Fremont County Library System, Lander, Wyoming; South Baltimore Learning Center, Baltimore, Maryland; and Yeshivath Vinitz D'Khal Torath Chaim, Monsey, New York (collectively, Petitioners) seek review of decisions by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator).¹ For a review of decisions by SLD, appeals to the Commission must be filed within 60

¹ Letter from Fran Older, Approach Learning Assessment Centers, to Federal Communications Commission, filed August 30, 2004; Letter from Joyce Ballard, Fremont County Library System, to Federal Communications Commission, filed April 8, 2004; Letter from Michael Akman, South Baltimore Learning Center, to Federal Communications Commission, filed July 19, 2004; Letters from Israel Neiman, Yeshivath Vinitz D'Khal Torath Chaim, to Federal Communications Commission, filed June 22, 2004 (Requests for Review). See also Administrator's Decision on Appeal Letters from Schools and Libraries Division, Universal Service Administrative Company, regarding SLD Numbers 297762 and 324756, to Fran Older, Approach Learning Assessment Centers, dated April 22, 2004; Administrator's Decision on Appeal Letter from Schools and Libraries Division, Universal Service Administrative Company, to Joyce Ballard, Fremont County Library System, dated January 16, 2004; Administrator's Decision on Appeal Letter from Schools and Libraries Division, Universal Service Administrative Company, to Jim Fragomeni, South Baltimore Learning Center, dated April 16, 2004; and Administrator's Decision on Appeal Letters from Schools and Libraries Division, Universal Service Administrative Company, regarding SLD numbers 287318, 287319, 307499, 347544, and 347546, to Israel Neiman, Yeshivath Vinitz D'Khal Torath Chaim, dated April 14, 2004. Any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

days of the issuance of the SLD decision date.² Here, Petitioners filed appeals after the 60-day period, in contravention of our rules. We therefore deny their Requests for Review.

2. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Requests for Review filed on August 30, 2004 by Approach Learning and Assessment Centers, Santa Ana, California; April 8, 2004 by Fremont County Library System, Lander, Wyoming; July 19, 2004 by South Baltimore Learning Center, Baltimore, Maryland; and June 22, 2004 by Yeshivath Vinitz D'Khal Torah Chaim, Monsey, New York ARE DENIED.

FEDERAL COMMUNICATIONS COMMISSION



Vickie S. Robinson
Deputy Chief, Telecommunications Access Policy Division
Wireline Competition Bureau

² Commission rules previously required that appeals must be filed with the Commission or SLD within 30 days of the issuance of the decision that the party seeks to have reviewed. This deadline was modified in 2001 by an interim order, extending the deadline to 60 days. *See Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Order, 17 FCC Rcd 339 (Com. Car. Bur. 2001), as corrected by *Implementation of Interim Filing Procedures for Filings of Requests for Review, Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata (Com. Car. Bur. rel. Dec. 28, 2001 and Jan. 4, 2002). In 2003, the Commission permanently extended the time limit for filing an initial appeal with SLD and the Commission to 60 days. *See Schools and Libraries Universal Service Support Mechanism*, CC Docket No. 02-6, Second Report and Order and Further Notice of Proposed Rulemaking, 18 FCC Rcd 9202, 9221, paras. 55-56 (2003). 47 C.F.R. § 54.720(b).